

REFERENCE TITLE: school accountability; body of evidence

State of Arizona  
House of Representatives  
Forty-seventh Legislature  
Second Regular Session  
2006

# HB 2745

Introduced by  
Representative Hershberger

AN ACT

AMENDING SECTIONS 15-241, 15-701.01 AND 15-704, ARIZONA REVISED STATUTES;  
AMENDING TITLE 15, CHAPTER 7, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING  
SECTION 15-741.02; RELATING TO PUPIL ASSESSMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-241, Arizona Revised Statutes, is amended to  
3 read:

4 15-241. School accountability: failing schools tutoring fund

5 ~~A. The department of education shall compile an annual achievement~~  
6 ~~profile for each public school.~~

7 ~~B. Each school shall submit to the department any data that is~~  
8 ~~required and requested and that is necessary to compile the achievement~~  
9 ~~profile. A school that fails to submit the information that is necessary is~~  
10 ~~not eligible to receive monies from the classroom site fund established by~~  
11 ~~section 15-977.~~

12 ~~C. The department shall establish a baseline achievement profile for~~  
13 ~~each school by October 15, 2001. The baseline achievement profile shall be~~  
14 ~~used to determine a standard measurement of acceptable academic progress for~~  
15 ~~each school and a school classification pursuant to subsection G of this~~  
16 ~~section. Any disclosure of educational records compiled by the department of~~  
17 ~~education pursuant to this section shall comply with the family educational~~  
18 ~~and privacy rights act of 1974 (20 United States Code section 1232g).~~

19 ~~D. The achievement profile for schools that offer instruction in~~  
20 ~~kindergarten programs and grades one through eight, or any combination of~~  
21 ~~those programs or grades, shall include the following school academic~~  
22 ~~performance indicators:~~

23 ~~1. The Arizona measure of academic progress. The department shall~~  
24 ~~compute the extent of academic progress made by the pupils in each school~~  
25 ~~during the course of each year.~~

26 ~~2. The Arizona instrument to measure standards test. The department~~  
27 ~~shall compute the percentage of pupils who meet or exceed the standard on the~~  
28 ~~Arizona instrument to measure standards test, as prescribed by the state~~  
29 ~~board of education.~~

30 ~~E. The achievement profile for schools that offer instruction in~~  
31 ~~grades nine through twelve, or any combination of those grades, shall include~~  
32 ~~the following school academic performance indicators:~~

33 ~~1. The Arizona instrument to measure standards test. The department~~  
34 ~~shall compute the percentage of pupils pursuant to subsection F of this~~  
35 ~~section who meet or exceed the standard on the Arizona instrument to measure~~  
36 ~~standards test, as prescribed by the state board of education.~~

37 ~~2. The annual dropout rate.~~

38 ~~3. The annual graduation rate.~~

39 ~~F. Subject to final adoption by the state board of education, the~~  
40 ~~department shall determine the criteria for each school classification using~~  
41 ~~a research based methodology. The methodology shall include the performance~~  
42 ~~of pupils at all achievement levels, account for pupil mobility, account for~~  
43 ~~the distribution of pupil achievement at each school and include longitudinal~~  
44 ~~indicators of academic performance. For the purposes of this subsection,~~  
45 ~~"research based methodology" means the systematic and objective application~~

1 ~~of statistical and quantitative research principles to determine a standard~~  
2 ~~measurement of acceptable academic progress for each school.~~

3 ~~G. The achievement profile shall be used to determine a school~~  
4 ~~classification that designates each school as one of the following:~~

5 ~~1. An excelling school.~~

6 ~~2. A highly performing school.~~

7 ~~3. A performing school.~~

8 ~~4. An underperforming school.~~

9 ~~5. A school failing to meet academic standards.~~

10 ~~H. The classification for each school and the criteria used to~~  
11 ~~determine classification pursuant to subsection F of this section shall be~~  
12 ~~included on the school report card prescribed in section 15-746.~~

13 ~~I. Subject to final adoption by the state board of education, the~~  
14 ~~department of education shall develop a parallel achievement profile for~~  
15 ~~accommodation schools, alternative schools as defined by the state board of~~  
16 ~~education and schools with a student count of fewer than one hundred pupils.~~

17 ~~J. If a school is designated as an underperforming school, within~~  
18 ~~ninety days after receiving notice of the designation, the governing board~~  
19 ~~shall develop an improvement plan for the school, submit a copy of the plan~~  
20 ~~to the superintendent of public instruction and supervise the implementation~~  
21 ~~of the plan. The plan shall include necessary components as identified by~~  
22 ~~the state board of education. Within thirty days after submitting the~~  
23 ~~improvement plan to the superintendent of public instruction, the governing~~  
24 ~~board shall hold a special public meeting in each school that has been~~  
25 ~~designated as an underperforming school and shall present the respective~~  
26 ~~improvement plans that have been developed for each school. The school~~  
27 ~~district governing board, within thirty days of receiving notice of the~~  
28 ~~designation, shall provide written notification of the classification to each~~  
29 ~~residence within the attendance area of the school. The notice shall explain~~  
30 ~~the improvement plan process and provide information regarding the public~~  
31 ~~meeting required by this subsection.~~

32 ~~K. A school that has not submitted an improvement plan pursuant to~~  
33 ~~subsection J of this section is not eligible to receive monies from the~~  
34 ~~classroom site fund established by section 15-977 for every day that a plan~~  
35 ~~has not been received by the superintendent of public instruction within the~~  
36 ~~time specified in subsection J of this section plus an additional ninety~~  
37 ~~days. The state board of education shall require the superintendent of the~~  
38 ~~school district to testify before the board and explain the reasons that an~~  
39 ~~improvement plan for that school has not been submitted.~~

40 ~~L. If a charter school is designated as an underperforming school,~~  
41 ~~within thirty days the school shall notify the parents of the students~~  
42 ~~attending the school of the classification. The notice shall explain the~~  
43 ~~improvement plan process and provide information regarding the public meeting~~  
44 ~~required by this subsection. Within ninety days of receiving the~~  
45 ~~classification, the charter holder shall present an improvement plan to the~~

~~1 charter sponsor at a public meeting and submit a copy of the plan to the  
2 superintendent of public instruction. The improvement plan shall include  
3 necessary components as identified by the state board of education. For  
4 every day that an improvement plan is not received by the superintendent of  
5 public instruction, the school is not eligible to receive monies from the  
6 classroom site fund established by section 15-977 for ninety days plus every  
7 day that a plan is not received. The charter holder shall appear before the  
8 sponsoring board and explain why the improvement plan has not been submitted.~~

~~9 M. The department of education shall establish an appeals process, to  
10 be approved by the state board of education, for a school to appeal data used  
11 to determine the achievement profile of the school. The criteria established  
12 shall be based on mitigating factors and may include a visit to the school  
13 site by the department of education.~~

~~14 N. If a school remains classified as an underperforming school for a  
15 third consecutive year, the department of education shall visit the school  
16 site to confirm the classification data and to review the implementation of  
17 the school's improvement plan. The school shall be classified as failing to  
18 meet academic standards unless an alternate classification is made after an  
19 appeal pursuant to subsection M of this section.~~

~~20 O. The school district governing board, within thirty days of  
21 receiving notice of the school failing to meet academic standards  
22 classification, shall provide written notification of the classification to  
23 each residence in the attendance area of the school. The notice shall  
24 explain the improvement plan process and provide information regarding the  
25 public meeting required by subsection R of this section.~~

~~26 P. The superintendent of public instruction, based on need, shall  
27 assign a solutions team to an underperforming school or a school failing to  
28 meet academic standards comprised of master teachers, fiscal analysts and  
29 curriculum assessment experts who are certified by the state board of  
30 education as Arizona academic standards technicians. The department of  
31 education may hire or contract with administrators, principals and teachers  
32 who have demonstrated experience with the characteristics and situations in  
33 an underperforming school or a school failing to meet academic standards and  
34 may use these personnel as part of the solutions team. The team shall work  
35 with staff at the school to assist in curricula alignment and shall instruct  
36 teachers on how to increase pupil academic progress, considering the school's  
37 achievement profile. The team shall select two master teachers to be  
38 employed by the school. The solutions team shall consider the existing  
39 improvement plan to assess the need for changes to curriculum, professional  
40 development and resource allocation.~~

~~41 A. THE STATE BOARD OF EDUCATION, IN CONSULTATION WITH THE  
42 SUPERINTENDENT OF PUBLIC INSTRUCTION AND THE SCHOOL DISTRICTS AND CHARTER  
43 SCHOOLS IN THIS STATE, SHALL ADOPT RULES TO ESTABLISH A STATEWIDE  
44 ACCOUNTABILITY SYSTEM PROVIDING ANNUAL ACCOUNTABILITY DETERMINATIONS FOR ALL  
45 SCHOOLS, SCHOOL DISTRICTS AND CHARTER SCHOOLS AND IMPOSING A RANGE OF~~

1 EDUCATIONAL CONSEQUENCES RESULTING FROM ACCOUNTABILITY DETERMINATIONS  
2 ACCORDING TO THE FOLLOWING REQUIREMENTS:

3 1. A POINT SYSTEM SHALL BE USED THAT REQUIRES STUDENTS TO EARN AT  
4 LEAST ONE HUNDRED POINTS TO GRADUATE FROM HIGH SCHOOL. A STUDENT MAY EARN A  
5 MAXIMUM OF SIXTY GRADUATION POINTS FROM THE ARIZONA INSTRUMENT TO MEASURE  
6 STANDARDS TEST. A STUDENT MAY EARN THE REMAINDER OF GRADUATION POINTS FROM A  
7 SCHOOL DISTRICT'S OR CHARTER SCHOOL'S BODY OF EVIDENCE PROGRAMS, WHICH SHALL  
8 BE TAILORED TO THE UNIQUE NEEDS OF THE COMMUNITY WHERE THE SCHOOL DISTRICT OR  
9 CHARTER SCHOOL IS LOCATED AND THAT ARE IN ACCORDANCE WITH THE STATE ACADEMIC  
10 STANDARDS ADOPTED BY THE STATE BOARD OF EDUCATION. A SCHOOL DISTRICT'S BODY  
11 OF EVIDENCE PROGRAMS SHALL BE APPROVED BY THE STATE BOARD OF EDUCATION AND  
12 MAY INCLUDE ACADEMIC PROGRAMS, TUTORING, EXTRACURRICULAR ACTIVITIES,  
13 COMMUNITY SERVICE, PARTICIPATION IN SCHOOL SPONSORED CLUBS AND ORGANIZATIONS  
14 AND PART-TIME EMPLOYMENT.

15 2. AN HONOR'S DIPLOMA IN A FORMAT DEVELOPED BY THE STATE BOARD OF  
16 EDUCATION SHALL BE AWARDED TO ANY STUDENT WHO SATISFIES THE GRADUATION  
17 REQUIREMENTS FOR THE SCHOOL DISTRICT OR CHARTER SCHOOL AND WHO ACHIEVES  
18 SCORES ON EACH COMPONENT OF THE ARIZONA INSTRUMENT TO MEASURE STANDARDS TEST  
19 THAT ARE IN THE \_\_\_\_ PERCENTILE OF SCORES FOR HIGH SCHOOL PUPILS IN THIS  
20 STATE.

21 3. INTENSIVE REMEDIAL PROGRAMS SHALL BE DEVELOPED BY THE STATE BOARD  
22 OF EDUCATION FOR PUPILS WHO HAVE NOT MASTERED THE STATE ACADEMIC STANDARDS BY  
23 GRADE FIVE THAT ARE DESIGNED TO ENSURE THAT THOSE PUPILS MASTER THE STATE  
24 ACADEMIC STANDARDS BY GRADE SIX.

25 4. THE ARIZONA INSTRUMENT TO MEASURE STANDARDS TEST SHALL BE MODIFIED  
26 BY JUNE 30, 2007 AS FOLLOWS:

27 (a) PUPILS SHALL TAKE EACH COMPONENT OF THE TEST ON A COMPUTER SYSTEM  
28 THAT ALLOWS THE PUPIL, THE PUPIL'S TEACHERS, THE SCHOOL DISTRICT OR CHARTER  
29 SCHOOL AND THE STATE BOARD OF EDUCATION IMMEDIATE ACCESS TO THE RESULTS OF  
30 THE PUPIL'S TEST.

31 (b) THE READING, WRITING, MATHEMATICS AND SCIENCE COMPONENTS OF THE  
32 TEST SHALL BE SEPARATED INTO SUBTESTS ADOPTED BY THE STATE BOARD OF EDUCATION  
33 FOR EACH COMPONENT. A PUPIL MAY RETAKE ANY SUBTEST AN UNLIMITED NUMBER OF  
34 TIMES IF THE PUPIL OBTAINS APPROVAL FROM THE APPROPRIATE TEACHER TO RETAKE  
35 THE SUBTEST. A PUPIL'S SCORES ON EACH SUBTEST SHALL BE PERMANENTLY RECORDED,  
36 EXCEPT THAT IF A PUPIL ACHIEVES A HIGHER SCORE ON THAT SUBTEST AT A LATER  
37 DATE, THE HIGHER SCORE SHALL REPLACE THE LOWER SCORE ON THAT SUBTEST.

38 5. THE CONTINUOUS IMPROVEMENT OF STUDENT ACHIEVEMENT AT ALL SCHOOLS  
39 AND APPROPRIATE EDUCATIONAL INTERVENTIONS FOSTERING CONTINUOUS IMPROVEMENT  
40 SERVE AS THE BASIS FOR STATEWIDE ACCOUNTABILITY SYSTEM DESIGN.

41 6. ANNUAL ACCOUNTABILITY DETERMINATIONS WITHIN THE SYSTEM SHALL BE  
42 MADE FOR EACH SCHOOL BASED ON ADEQUATE YEARLY PROGRESS MEASURES DEFINED BY  
43 THE NO CHILD LEFT BEHIND ACT OF 2001 (P.L. 107-110; 115 STAT. 1425) AND THE  
44 SCHOOL'S PROGRESS IN IMPROVING STUDENT ACHIEVEMENT AS MEASURED BY ADEQUATE  
45 YEARLY PROGRESS DATA AND BY DATA FROM THE SCHOOL DISTRICT'S OR CHARTER

SCHOOL'S ASSESSMENT SYSTEM AND FROM OTHER RELATED SOURCES THAT IMPROVE THE RELIABILITY OF ACCOUNTABILITY DETERMINATIONS.

7. TO THE EXTENT POSSIBLE, APPROPRIATE CONSEQUENCES RESULTING FROM ACCOUNTABILITY DETERMINATIONS SHALL BE MADE SUBJECT TO THE DISCRETION OF SCHOOL DISTRICTS AND CHARTER SCHOOLS. THE SYSTEM SHALL ESTABLISH A RANGE OF CONSEQUENCES THAT INCREASE IN THE DEGREE OF INTENSITY OVER TIME, WITH SIGNIFICANT INTERVENTIONS IMPOSED ONLY ON REPEATED FAILURE TO MEET SCHOOL IMPROVEMENT AND PERFORMANCE CRITERIA OVER A CONSECUTIVE PERIOD OF TIME.

8. TEACHER AND ADMINISTRATOR QUALITY AND STUDENT REMEDIATION SHALL BE THE FOCUS OF CONSEQUENCES IMPOSED ON SCHOOLS THAT FAIL TO MEET SCHOOL IMPROVEMENT AND PERFORMANCE CRITERIA AND TARGET LEVELS.

9. A RANGE OF REWARDS SHALL BE PROVIDED TO SCHOOLS THAT MEET SCHOOL IMPROVEMENT AND PERFORMANCE CRITERIA AT LEVELS SET BY THE STATE BOARD OF EDUCATION.

B. THE DETERMINATION OF PROFICIENT PERFORMANCE SHALL BE DEMONSTRATED THROUGH MEASURES THAT ARE IDENTIFIED BY THE SCHOOL DISTRICT OR CHARTER SCHOOL AND THAT MEET THE FOLLOWING REQUIREMENTS:

1. THE MEASURES SHALL BE DESIGNED TO BEST MEET THE NEEDS OF INDIVIDUAL SCHOOL DISTRICTS AND CHARTER SCHOOLS FOR DETERMINING WHETHER OR NOT STUDENTS HAVE MASTERED THE COMMON CORE OF KNOWLEDGE AND SKILLS AS REFLECTED IN THE ACADEMIC STANDARDS ADOPTED BY THE STATE BOARD OF EDUCATION.

2. THE ASSESSMENT SYSTEM ADOPTED BY THE SCHOOL DISTRICT OR CHARTER SCHOOL SHALL BE DESIGNED AND EVALUATED ACCORDING TO THE FOLLOWING CRITERIA:

- (a) ALIGNMENT.
- (b) CONSISTENCY.
- (c) FAIRNESS.
- (d) STANDARD SETTING.
- (e) COMPARABILITY.

C. THE ALIGNMENT CRITERION PRESCRIBED IN SUBSECTION B, PARAGRAPH 2 OF THIS SECTION SHALL BE MET IF THE COMBINATION OF ASSESSMENTS THAT COMPRISE THE SYSTEM IS ALIGNED WITH THE CONTENT AND PERFORMANCE STANDARDS OF THE SCHOOL DISTRICT OR CHARTER SCHOOL SO THAT THE FULL SET OF STANDARDS, BOTH IN TERMS OF CONTENT AND COGNITIVE COMPLEXITY, IS ASSESSED. MULTIPLE ASSESSMENT MEASURES AND FORMATS SHALL BE EMPLOYED IN THE SYSTEM TO MAXIMIZE THE ALIGNMENT BETWEEN STANDARDS AND ASSESSMENTS.

D. THE DECISION REGARDING WHETHER OR NOT A STUDENT HAS MET THE GRADUATION REQUIREMENTS FOR A GIVEN CONTENT AREA SHALL DEMONSTRATE A HIGH DEGREE OF CONSISTENCY SUCH THAT THE RATES OF CLASSIFYING STUDENTS INTO PERFORMANCE CATEGORIES INCORRECTLY ARE MINIMAL. THE FOCUS OF THIS EVALUATION SHALL BE CONCENTRATED ON THE ASSESSMENT SYSTEM AND SHALL EXAMINE, FOR EXAMPLE, HOW DIFFERENT JUDGES WOULD EVALUATE THE SAME SET OF DATA ABOUT A GROUP OF POTENTIAL GRADUATES. TO SATISFY THIS CRITERION, THE SCHOOL DISTRICT OR CHARTER SCHOOL SHALL DOCUMENT THAT THE RESULTS OF THE ASSESSMENTS ARE NOT OVERLY INFLUENCED BY ERROR. INDIVIDUAL ASSESSMENTS WITHIN THE ASSESSMENT

1 SYSTEM SHALL BE EVALUATED FOR CONSISTENCY IN TERMS OF ERROR DUE TO RATERS,  
2 TASKS, ADMINISTRATION CONDITIONS AND OCCASIONS.

3 E. THE ASSESSMENT SYSTEM SHALL BE DESIGNED, IMPLEMENTED AND EVALUATED  
4 SO THAT IT IS NOT BIASED AGAINST ANY GROUPS OF STUDENTS. APPROPRIATE  
5 ACCOMMODATIONS SHALL BE EMPLOYED SO STUDENTS WITH DISABILITIES AND LIMITED  
6 ENGLISH PROFICIENT STUDENTS HAVE AS FAIR A CHANCE AS POSSIBLE TO DEMONSTRATE  
7 WHAT THOSE STUDENTS KNOW. MULTIPLE ASSESSMENT OPPORTUNITIES AND FORMATS  
8 SHALL BE USED TO MAXIMIZE FAIRNESS. THE RESULTS OF THE ASSESSMENTS  
9 COMPRISING THE SYSTEM AND THE RESULTS OF THE SYSTEM ITSELF SHALL BE  
10 DISAGGREGATED TO EXAMINE BOTH THE FAIRNESS OF THE ASSESSMENT SYSTEM AND  
11 OPPORTUNITIES FOR ALL STUDENTS TO MASTER THE ACADEMIC STANDARDS.

12 F. THE METHOD FOR ESTABLISHING CUT SCORES BETWEEN VARIOUS PERFORMANCE  
13 LEVELS ON THE ASSESSMENT SYSTEM SHALL BE BASED ON A RESEARCH BASED  
14 METHODOLOGY AND THE SCHOOL DISTRICT OR CHARTER SCHOOL SHALL INDICATE A CLEAR  
15 RATIONALE FOR CHOOSING A PARTICULAR METHOD. THE METHOD SELECTED SHALL  
16 INCORPORATE CLEAR DESCRIPTIONS OF THE PERFORMANCE LEVELS AND SHALL NOT BE  
17 BASED ON ARBITRARY PERFORMANCE DISTINCTIONS.

18 G. THE ASSESSMENTS COMPRISING THE ASSESSMENT SYSTEM SHALL BE  
19 COMPARABLE ACROSS SCHOOLS AND CLASSROOMS WITHIN THE SAME SCHOOL DISTRICT OR  
20 CHARTER SCHOOL BOTH WITHIN A GIVEN YEAR AND ACROSS YEARS.

21 H. AT A MINIMUM, SCHOOL DISTRICTS AND CHARTER SCHOOLS SHALL USE A  
22 COMPENSATORY APPROACH FOR COMBINING ASSESSMENT INFORMATION AT THE BENCHMARK  
23 AND STANDARD LEVEL WHEN DETERMINING WHETHER STUDENTS HAVE MET THE PERFORMANCE  
24 REQUIREMENTS FOR EACH COMMON CORE CONTENT AREA.

25 I. SCHOOL DISTRICTS AND CHARTER SCHOOLS SHALL USE A CONJUNCTIVE  
26 APPROACH FOR COMBINING ASSESSMENT INFORMATION ACROSS COMMON CORE OF KNOWLEDGE  
27 AND SKILLS CONTENT AREAS TO DETERMINE WHETHER STUDENTS HAVE MET THE  
28 GRADUATION REQUIREMENTS.

29 J. A COMMITTEE OF PEERS SHALL REVIEW EACH SCHOOL DISTRICT'S AND  
30 CHARTER SCHOOL'S ASSESSMENT SYSTEM. THE COMMITTEE OF PEERS SHALL RECOMMEND TO  
31 THE SUPERINTENDENT OF PUBLIC INSTRUCTION THE SCHOOL DISTRICT'S OR CHARTER  
32 SCHOOL'S STATUS REGARDING ITS BODY OF EVIDENCE ASSESSMENT SYSTEM. THE  
33 COMMITTEE OF PEERS SHALL BE COMPRISED OF EDUCATORS WHO HAVE SUCCESSFULLY  
34 COMPLETED PEER REVIEW TRAINING CONDUCTED BY THE DEPARTMENT OF EDUCATION. THE  
35 SCHOOL DISTRICT OR CHARTER SCHOOL SHALL SUBMIT EVIDENCE TO THE COMMITTEE OF  
36 PEERS IN ACCORDANCE WITH THE PEER REVIEW GUIDANCE PROVIDED BY THE DEPARTMENT  
37 OF EDUCATION. THIS EVIDENCE SHALL INCLUDE THE FOLLOWING COMPONENTS:

- 38 1. SCHOOL DISTRICT AND CHARTER SCHOOL ASSESSMENT PLANS.
- 39 2. EVIDENCE OF ALIGNMENT AMONG ACADEMIC STANDARDS.
- 40 3. CURRICULA.
- 41 4. ASSESSMENTS.
- 42 5. SAMPLE ASSESSMENTS.
- 43 6. EVIDENCE OF CONSISTENCY,
- 44 7. DOCUMENTATION OF THE STANDARD SETTING METHODS.
- 45 8. EVIDENCE SUPPORTING THE FAIRNESS OF THE ASSESSMENT SYSTEM.

1           9. DOCUMENTATION SUPPORTING THE COMPARABILITY OF THE ASSESSMENT SYSTEM  
2 ACROSS SCHOOLS AND YEARS.

3           10. ANY OTHER DOCUMENTATION THAT THE SCHOOL DISTRICT OR CHARTER SCHOOL  
4 CHOOSES TO SUBMIT TO SUPPORT THE TECHNICAL QUALITY OF THE ASSESSMENT SYSTEM.

5           ~~Q.~~ K. The parent or the guardian of the pupil may apply to the  
6 department of education, in a manner determined by the department of  
7 education, for a certificate of supplemental instruction from the failing  
8 schools tutoring fund established by this section. Pupils attending a school  
9 designated as an underperforming school or a school failing to meet academic  
10 standards or a pupil who has failed to pass one or more portions of the  
11 Arizona instrument to measure standards test in order to graduate from high  
12 school may select an alternative tutoring program in academic standards from  
13 a provider that is certified by the state board of education. To qualify,  
14 the provider must guarantee in writing a stated level of academic improvement  
15 for the pupil that includes a timeline for improvement that is agreed to by  
16 the parent or guardian of the pupil and the provider shall agree to refund to  
17 the state the standards assistance grant monies if the guaranteed level of  
18 academic improvement is not met. The state board of education shall  
19 determine the application guidelines and the maximum value for each  
20 certificate of supplemental instruction. The state board of education shall  
21 annually complete a market survey in order to determine the maximum value for  
22 each certificate of supplemental instruction. Nothing in this subsection  
23 shall be construed to require the state to provide additional monies beyond  
24 the monies provided pursuant to section 42-5029, subsection E, paragraph 7.

25           ~~R. Within sixty days of receiving notification of designation as a~~  
26 ~~school failing to meet academic standards, the school district governing~~  
27 ~~board shall evaluate needed changes to the existing improvement plan for the~~  
28 ~~school, consider recommendations from the solutions team, submit a copy of~~  
29 ~~the plan to the superintendent of public instruction and supervise the~~  
30 ~~implementation of the plan. Within thirty days after submitting the~~  
31 ~~improvement plan to the superintendent of public instruction, the governing~~  
32 ~~board shall hold a public meeting in each school that has been designated as~~  
33 ~~a school failing to meet academic standards and shall present the respective~~  
34 ~~improvement plans that have been developed for each school.~~

35           ~~S. A school that has not submitted an improvement plan pursuant to~~  
36 ~~subsection R of this section is not eligible to receive monies from the~~  
37 ~~classroom site fund established by section 15-977 for every day that a plan~~  
38 ~~has not been received by the superintendent of public instruction within the~~  
39 ~~time specified in subsection R of this section plus an additional ninety~~  
40 ~~days. The state board of education shall require the superintendent of the~~  
41 ~~school district to testify before the board and explain the reasons that an~~  
42 ~~improvement plan for that school has not been submitted.~~

43           ~~T. If a charter school is designated as a school failing to meet~~  
44 ~~academic standards, the department of education shall immediately notify the~~  
45 ~~charter school's sponsor. The charter school's sponsor shall either take~~



~~1 action to restore the charter school to acceptable performance or revoke the~~  
~~2 charter school's charter. Within thirty days the school shall notify the~~  
~~3 parents of the students attending the school of the classification and of any~~  
~~4 pending public meetings to review the issue.~~

~~5 U. A school that has been designated as a school failing to meet~~  
~~6 academic standards shall be evaluated by the department of education to~~  
~~7 determine if the school failed to properly implement its school improvement~~  
~~8 plan, the alignment of the curriculum with academic standards, teacher~~  
~~9 training, budget prioritization or other proven strategies to improve~~  
~~10 academic performance. After visiting the school site pursuant to subsection~~  
~~11 N of this section, the department of education shall submit to the state~~  
~~12 board of education a recommendation to proceed pursuant to subsections P, Q~~  
~~13 and R of this section or that the school be subject to a public hearing to~~  
~~14 determine if the school failed to properly implement its improvement plan and~~  
~~15 the reasons for the department's recommendation.~~

~~16 V. If the department does recommend a public hearing, the state board~~  
~~17 of education shall meet and may provide by a majority vote at the public~~  
~~18 hearing for the continued operation of the school as allowed by this~~  
~~19 subsection. The state board of education shall determine whether~~  
~~20 governmental, nonprofit and private organizations may submit applications to~~  
~~21 the state board to fully or partially manage the school. The state board's~~  
~~22 determination shall include:~~

~~23 1. If and to what extent the local governing board may participate in~~  
~~24 the operation of the school including personnel matters.~~

~~25 2. If and to what extent the state board of education shall~~  
~~26 participate in the operation of the school.~~

~~27 3. Resource allocation pursuant to subsection X of this section.~~

~~28 4. Provisions for the development and submittal of a school~~  
~~29 improvement plan to be presented in a public meeting at the school.~~

~~30 5. A suggested time frame for the alternative operation of the school.~~

~~31 W. The state board shall periodically review the status of a school~~  
~~32 that is operated by an organization other than the school district governing~~  
~~33 board to determine whether the operation of the school should be returned to~~  
~~34 the school district governing board. Before the state board makes a~~  
~~35 determination, the state board or its designee shall meet with the school~~  
~~36 district governing board or its designee to determine the time frame,~~  
~~37 operational considerations and the appropriate continuation of existing~~  
~~38 improvements that are necessary to assure a smooth transition of authority~~  
~~39 from the other organization back to the school district governing board.~~

~~40 X. If an alternative operation plan is provided pursuant to subsection~~  
~~41 V of this section, the state board of education shall pay for the operation~~  
~~42 of the school and shall adjust the school district's student count pursuant~~  
~~43 to section 15-902, soft capital allocation pursuant to section 15-962,~~  
~~44 capital outlay revenue limit pursuant to section 15-961, base support level~~  
~~45 pursuant to section 15-943, monies distributed from the classroom site fund~~

~~established in section 15-977 and transportation support level pursuant to section 15-945 to accurately reflect any reduction in district services that are no longer provided to that school by the district. The state board of education may modify the school district's revenue control limit, the district support level and the general budget limit calculated pursuant to section 15-947 by an amount that corresponds to this reduction in services. The state board of education shall retain the portion of state aid that would otherwise be due the school district for the school and shall distribute that portion of state aid directly to the organization that contracts with the state board of education to operate the school.~~

~~Y. If the state board of education determines that a charter school failed to properly implement its improvement plan, the sponsor of the charter school shall revoke the charter school's charter.~~

~~Z. If there are more than two schools in a district and more than one-half, or in any case more than five, of the schools in the district are designated as schools failing to meet academic standards for more than two consecutive years, in the next election of members of the governing board the election ballot shall contain the following statement immediately above the listing of governing board candidates:~~

~~Within the last five years, (number of schools) schools in the \_\_\_\_\_ school district have been designated as "schools failing to meet academic standards" by the superintendent of public instruction.~~

~~AA. At least twice each year the department of education shall publish in a newspaper of general circulation in each county of this state a list of schools that are designated as schools failing to meet academic standards.~~

~~BB. L. The failing schools tutoring fund is established consisting of monies collected pursuant to section 42-5029, subsection E as designated for this purpose. The department of education shall administer the fund.~~

Sec. 2. Section 15-701.01, Arizona Revised Statutes, is amended to read:

15-701.01. High school; graduation; requirements; community college or university courses; transfer from private schools; academic credit

A. The state board of education shall:

1. Prescribe a minimum course of study, as defined in section 15-101 and incorporating the academic standards adopted by the state board of education, for the graduation of pupils from high school.

2. Prescribe competency requirements for the graduation of pupils from high school incorporating the academic standards in at least the areas of reading, writing, mathematics, science and social studies. **A PUPIL SHALL NOT BE REQUIRED TO ACHIEVE A PASSING SCORE ON THE ARIZONA INSTRUMENT TO MEASURE STANDARDS TEST OR ON ANY OTHER COMPETENCY TEST IN ORDER TO GRADUATE FROM HIGH SCHOOL.**

1           3. Develop and adopt competency tests pursuant to section 15-741 ~~for~~  
2 ~~the graduation of pupils from high school~~ in at least the areas of reading,  
3 writing and mathematics and shall establish passing scores for each such  
4 test. ~~A pupil not successfully passing the required competency test shall~~  
5 ~~graduate from high school with a recognized diploma if the pupil meets the~~  
6 ~~alternative graduation requirements established by section 15-701.02. A~~  
7 ~~pupil shall not be required to pass the competency test required in this~~  
8 ~~paragraph to graduate from high school if the pupil transfers into the~~  
9 ~~district from out of state and has successfully passed a statewide assessment~~  
10 ~~test on state adopted standards that are substantially equivalent to the~~  
11 ~~state board adopted academic standards. If the state board of education~~  
12 ~~adopts a competency test as a graduation requirement for a child with a~~  
13 ~~disability as defined in section 15-761 or a child who receives special~~  
14 ~~education pursuant to section 15-763, pupils with individualized education~~  
15 ~~programs shall not be required to achieve passing scores on competency tests~~  
16 ~~in order to graduate from high school unless the pupil is learning at a level~~  
17 ~~appropriate for the pupil's grade level in a specific academic area and~~  
18 ~~unless passing scores on a competency test is specifically required in a~~  
19 ~~specific academic area by the pupil's individualized education program as~~  
20 ~~mutually agreed on by the pupil's parents and the pupil's individualized~~  
21 ~~education program team or the pupil, if the pupil is at least eighteen years~~  
22 ~~of age. These competency tests shall be administered to pupils in a manner~~  
23 ~~prescribed in the pupil's individualized education program and school~~  
24 ~~districts and charter schools shall make specific and appropriate~~  
25 ~~accommodations for pupils with individualized education programs. Pupils~~  
26 ~~with section 504 plans as defined in section 15-731 shall not be required to~~  
27 ~~achieve passing scores on competency tests in order to graduate from high~~  
28 ~~school unless the pupil is learning at a level appropriate for the pupil's~~  
29 ~~grade level in a specific academic area and unless passing scores on a~~  
30 ~~competency test is specifically required in a specific academic area by the~~  
31 ~~pupil's section 504 plan that is developed in consultation with the pupil's~~  
32 ~~parents. These competency tests shall be administered to pupils in a manner~~  
33 ~~prescribed in the pupil's section 504 plan and school districts and charter~~  
34 ~~schools shall make specific and appropriate accommodations for pupils with a~~  
35 ~~section 504 plan. A pupil with an individualized education program or a~~  
36 ~~section 504 plan who graduates from high school but who is not required to~~  
37 ~~achieve a passing score on a competency test in order to graduate from high~~  
38 ~~school shall receive the standard diploma issued by the school district or~~  
39 ~~charter school.~~

40           B. The governing board of a school district shall:

41           1. Prescribe curricula that include the academic standards in the  
42 required subject areas pursuant to subsection A, paragraph 1 of this section.

43           2. Prescribe criteria for the graduation of pupils from the high  
44 schools in the school district. These criteria shall include accomplishment  
45 of the academic standards in at least reading, writing, mathematics, science

1 and social studies, as determined by district assessment. Other criteria may  
2 include additional measures of academic achievement and attendance.

3 C. The governing board may prescribe the course of study and  
4 competency requirements for the graduation of pupils from high school which  
5 are in addition to or higher than the course of study and competency  
6 requirements which the state board prescribes.

7 D. The governing board may prescribe competency requirements for the  
8 passage of pupils in courses which are required for graduation from high  
9 school.

10 E. A teacher shall determine whether to pass or fail a pupil in a  
11 course in high school as provided in section 15-521, paragraph 3 on the basis  
12 of the competency requirements, if any have been prescribed. The governing  
13 board, if it reviews the decision of a teacher to pass or fail a pupil in a  
14 course in high school as provided in section 15-342, paragraph 11, shall base  
15 its decision on the competency requirements, if any have been prescribed.

16 F. Graduation requirements established by the governing board may be  
17 met by a pupil who passes courses in the required or elective subjects at a  
18 community college or university, if the course is at a higher level than the  
19 course taught in the high school attended by the pupil or, if the course is  
20 not taught in the high school, the level of the course is equal to or higher  
21 than the level of a high school course. The governing board shall determine  
22 if the subject matter of the community college or university course is  
23 appropriate to the specific requirement the pupil intends it to fulfill and  
24 if the level of the community college or university course is less than,  
25 equal to or higher than a high school course, and the governing board shall  
26 award one-half of a carnegie unit for each three semester hours of credit the  
27 pupil earns in an appropriate community college or university course. If a  
28 pupil is not satisfied with the decision of the governing board regarding the  
29 amount of credit granted or the subjects for which credit is granted, the  
30 pupil may request that the state board of education review the decision of  
31 the governing board, and the state board shall make the final determination  
32 of the amount of credit to be given the pupil and for which subjects. The  
33 governing board shall not limit the number of credits that is required for  
34 high school graduation and that may be met by taking community college or  
35 university courses. For the purposes of this subsection:

36 1. "Community college" means an educational institution that is  
37 operated by a community college district as defined in section 15-1401 or a  
38 postsecondary educational institution under the jurisdiction of an Indian  
39 tribe recognized by the United States department of the interior.

40 2. "University" means a university under the jurisdiction of the  
41 Arizona board of regents.

42 G. A pupil who transfers from a private school shall be provided with  
43 a list that indicates those credits that have been accepted and denied by the  
44 school district. A pupil may request to take an examination in each  
45 particular course in which credit has been denied. The school district shall

1 accept the credit for each particular course in which the pupil takes an  
2 examination and receives a passing score on a test designed and evaluated by  
3 a teacher in the school district who teaches the subject matter on which the  
4 examination is based. In addition to the above requirements, the governing  
5 board of a school district may prescribe requirements for the acceptance of  
6 the credits of pupils who transfer from a private school.

7 H. The state board of education shall adopt rules to allow high school  
8 pupils who can demonstrate competency in a particular academic course or  
9 subject to obtain academic credit for the course or subject without enrolling  
10 in the course or subject.

11 Sec. 3. Section 15-704, Arizona Revised Statutes, is amended to read:  
12 15-704. Reading proficiency; definitions

13 A. Each school district or charter school that provides instruction in  
14 kindergarten programs and grades one through three shall select and  
15 administer screening, ongoing diagnostic and classroom based instructional  
16 reading assessments, including a motivational assessment, as defined by the  
17 state board of education, to monitor student progress. Each school shall use  
18 the diagnostic information to plan appropriate and effective intervention.

19 B. Each school district or charter school that provides instruction  
20 for pupils in kindergarten programs and grades one through three shall  
21 conduct a curriculum evaluation and adopt a scientifically based reading  
22 curriculum that includes the essential components of reading  
23 instruction. All school districts and charter schools that offer instruction  
24 in kindergarten programs and grades one through three shall provide ongoing  
25 teacher training based on scientifically based reading research.

26 C. Each school district or charter school that provides instruction in  
27 kindergarten programs and grades one through three shall devote reasonable  
28 amounts of time to explicit instruction and independent reading in grades one  
29 through three.

30 D. A pupil in grade three who does not meet or exceed the reading  
31 standards measured by the Arizona instrument to measure standards test  
32 administered pursuant to section 15-741 shall be provided intensive reading  
33 instruction as defined by the state board of education until the pupil meets  
34 these standards.

35 E. The governing board of each school district and the governing body  
36 of each charter school shall determine the percentage of pupils at each  
37 school in grade three who do not meet the reading standards prescribed by the  
38 state board of education and measured by the Arizona instrument to measure  
39 standards test administered pursuant to section 15-741. If more than twenty  
40 per cent of students in grade three at either the individual school level or  
41 at the school district level do not meet the standards, the governing board  
42 or governing body shall conduct a review of its reading program that includes  
43 curriculum and professional development in light of current, scientifically  
44 based reading research.

F. Based on the review required in subsection E of this section, the governing board or governing body and the school principal of each school that does not meet the reading standards, in conjunction with school council members, if applicable, shall develop methods of best practices for teaching reading based on essential components of reading instruction and supported by scientifically based reading research. These methods shall be adopted at a public meeting and shall be implemented the following academic year.

G. Subsections E and F of this section shall be coordinated with efforts to develop and implement an improvement plan if required pursuant to section ~~15-241~~ 15-741.02.

H. For the purposes of this section:

1. "Essential components of reading instruction" means explicit and systematic instruction in the following:

- (a) Phonemic awareness.
- (b) Phonics.
- (c) Vocabulary development.
- (d) Reading fluency.
- (e) Reading comprehension.

2. "Reading" means a complex system of deriving meaning from print that requires all of the following:

- (a) The skills and knowledge to understand how phonemes or speech sounds are connected to print.
- (b) The ability to decode unfamiliar words.
- (c) The ability to read fluently.
- (d) Sufficient background information and vocabulary to foster reading comprehension.
- (e) The development of appropriate active strategies to construct meaning from print.
- (f) The development and maintenance of a motivation to read.

3. "Scientifically based reading research" means research that meets all of the following:

- (a) Applies rigorous, systematic and objective procedures to obtain valid knowledge relevant to reading development, reading instruction and reading difficulties.
- (b) Employs systematic empirical methods that draw on observation or experiment.
- (c) Involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn.
- (d) Relies on measurements or observational methods that provide valid data across evaluators and observers and across multiple measurements and observations.
- (e) Has been accepted by a peer reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective and scientific review.

1 (f) Contains all of the elements of the essential components of  
2 reading instruction.

3 Sec. 4. Title 15, chapter 7, article 3, Arizona Revised Statutes, is  
4 amended by adding section 15-741.02, to read:

5 15-741.02. Statewide assessment system: requirements

6 THE STATE BOARD OF EDUCATION, IN CONSULTATION WITH THE SUPERINTENDENT  
7 OF PUBLIC INSTRUCTION AND THE SCHOOL DISTRICTS AND CHARTER SCHOOLS IN THIS  
8 STATE, SHALL DEVELOP A STATEWIDE ASSESSMENT SYSTEM COMPRISED OF A COHERENT  
9 SYSTEM OF MEASURES THAT, WHEN COMBINED, PROVIDE A RELIABLE AND VALID MEASURE  
10 OF INDIVIDUAL STUDENT ACHIEVEMENT FOR EACH SCHOOL DISTRICT AND CHARTER SCHOOL  
11 IN THIS STATE AND FOR THE PERFORMANCE OF THIS STATE AS A WHOLE. IMPROVEMENT  
12 OF TEACHING AND LEARNING IN SCHOOLS AND FOSTERING SCHOOL PROGRAM IMPROVEMENT  
13 SHALL BE THE PRIMARY PURPOSES OF STATEWIDE ASSESSMENT OF STUDENT PERFORMANCE  
14 IN THIS STATE. THE STATEWIDE ASSESSMENT SYSTEM SHALL:

15 1. MEASURE INDIVIDUAL STUDENT PERFORMANCE AND PROGRESS IN A MANNER  
16 SUBSTANTIALLY ALIGNED WITH THE ACADEMIC STANDARDS ADOPTED BY THE STATE BOARD  
17 OF EDUCATION.

18 2. BE ADMINISTERED AT APPROPRIATE LEVELS AT SPECIFIED GRADES AND AT  
19 APPROPRIATE INTERVALS ALIGNED TO THE ACADEMIC STANDARDS, SPECIFICALLY  
20 ASSESSING STUDENT PERFORMANCE IN READING, WRITING, MATHEMATICS AND SCIENCE.  
21 THE STRUCTURE AND DESIGN OF THE ASSESSMENT SYSTEM SHALL ALLOW FOR THE  
22 COMPREHENSIVE MEASUREMENT OF STUDENT PERFORMANCE THROUGH ASSESSMENTS THAT ARE  
23 ADMINISTERED EACH SCHOOL YEAR SIMULTANEOUSLY ON A STATEWIDE BASIS AND THROUGH  
24 ASSESSMENTS ADMINISTERED PERIODICALLY OVER THE COURSE OF THE SCHOOL YEAR THAT  
25 ARE DESIGNED TO PROVIDE A MORE COMPREHENSIVE AND IN-DEPTH MEASUREMENT OF  
26 SUBJECT AREAS ALIGNED TO THE ACADEMIC STANDARDS ADOPTED BY THE STATE BOARD OF  
27 EDUCATION. THE ASSESSMENT SYSTEM MAY ALSO MEASURE OTHER COMMON CORE OF  
28 KNOWLEDGE AND SKILLS THAT CAN BE QUANTIFIED.

29 3. MEASURE STUDENT PERFORMANCE IN THIS STATE ON A COMPARATIVE BASIS  
30 WITH STUDENT PERFORMANCE NATIONALLY.

31 4. MEASURE YEAR-TO-YEAR CHANGES IN STUDENT PERFORMANCE AND PROGRESS IN  
32 THE SUBJECTS SPECIFIED IN THIS SECTION AND COMPARE AND EVALUATE STUDENT  
33 ACHIEVEMENT DURING THE PROCESS OF STUDENT ADVANCEMENT THROUGH GRADE LEVELS.  
34 THE ASSESSMENT SYSTEM SHALL ENSURE THE INTEGRITY OF STUDENT PERFORMANCE  
35 MEASUREMENTS USED AT EACH GRADE LEVEL TO ENABLE VALID YEAR-TO-YEAR  
36 COMPARISONS.

37 5. INCLUDE MULTIPLE MEASURES AND ITEM TYPES, INCLUDING GRADE  
38 APPROPRIATE MULTIPLE CHOICE AND OPEN-ENDED TESTING SUCH AS CONSTRUCTED  
39 RESPONSE, EXTENDED RESPONSE AND PERFORMANCE BASED TASKS, TO ENSURE ALIGNMENT  
40 TO THE ACADEMIC STANDARDS ADOPTED BY THE STATE BOARD OF EDUCATION.

41 6. PROVIDE A FAIR AND UNBIASED ASSESSMENT OF STUDENT PERFORMANCE  
42 WITHOUT REGARD TO RACE, ETHNICITY, LIMITED ENGLISH PROFICIENCY AND  
43 SOCIOECONOMIC STATUS.

1           7. PROVIDE APPROPRIATE ACCOMMODATIONS OR ALTERNATIVE ASSESSMENTS TO  
2     ENABLE THE ASSESSMENT OF STUDENTS WITH DISABILITIES AND STUDENTS WITH LIMITED  
3     ENGLISH PROFICIENCY.

4           8. PROVIDE A MEASURE OF ACCOUNTABILITY TO ENHANCE TEACHING AND  
5     LEARNING IN THIS STATE AND, IN COMBINATION WITH OTHER MEASURES AND  
6     INFORMATION, ASSIST SCHOOL DISTRICTS AND CHARTER SCHOOLS IN DETERMINING  
7     INDIVIDUAL STUDENT PROGRESS. THE ASSESSMENT RESULTS SHALL BE REPORTED TO  
8     STUDENTS, PARENTS, SCHOOLS, SCHOOL DISTRICTS, CHARTER SCHOOLS AND THE PUBLIC  
9     IN AN ACCURATE, COMPLETE AND TIMELY MANNER AND SHALL BE USED IN CONJUNCTION  
10    WITH A SCHOOL DISTRICT'S OR CHARTER SCHOOL'S ANNUAL ASSESSMENT TO DESIGN  
11    EDUCATIONAL STRATEGIES FOR IMPROVEMENT AND ENHANCEMENT OF STUDENT  
12    PERFORMANCE. THIS DESIGN FOR IMPROVEMENT SHALL BE PART OF EACH SCHOOL  
13    DISTRICT'S AND CHARTER SCHOOL'S SCHOOL IMPROVEMENT PLAN. IN CONSULTATION AND  
14    COORDINATION WITH SCHOOL DISTRICTS AND CHARTER SCHOOLS, THE STATE BOARD OF  
15    EDUCATION SHALL REVIEW AND EVALUATE THE ASSESSMENT SYSTEM REGULARLY AND,  
16    BASED ON UNIFORM STATEWIDE REPORTS FROM EACH SCHOOL DISTRICT AND CHARTER  
17    SCHOOL, ISSUE AN ANNUAL REPORT ON STUDENT PERFORMANCE AT SPECIFIED GRADE  
18    LEVELS AND ON SCHOOL IMPROVEMENT PLANS TO THE GOVERNOR, THE SPEAKER OF THE  
19    HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE. COPIES OF THIS  
20    REPORT SHALL BE PROVIDED TO THE SECRETARY OF STATE AND THE DIRECTOR OF THE  
21    ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS.